

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
MARSHALL DIVISION

UNILOC 2017 LLC AND UNILOC USA,
INC.,

Plaintiffs,

v.

GOOGLE LLC,

Defendant.

Civil Action Nos. 2:18-cv-00491, -492, -493,
-494, -495, -496, -497, -498, -499, -500, -501,
-502, -503, -504

**FILED UNDER SEAL PURSUANT TO
PROTECTIVE ORDER**

JURY TRIAL DEMANDED

**DECLARATION OF DEEPA ACHARYA IN SUPPORT OF DEFENDANT GOOGLE
LLC'S MOTION TO TRANSFER VENUE TO THE NORTHERN DISTRICT OF
CALIFORNIA UNDER 28 U.S.C. § 1404**

I, Deepa Acharya, declare as follows:

1. I am a partner at the law firm of Quinn Emanuel Urquhart & Sullivan, LLP, counsel for Defendant Google LLC ("Google") in Case No. 2:18-cv-553. I have personal knowledge of the facts stated herein and if called to testify could and would competently testify thereto.

2. Attached hereto as Exhibit A is a true and correct copy of excerpts of the Memorandum Order and Opinion, filed as Dkt. 104 in the case *Uniloc USA, Inc. v. Apple Inc.*, No. 2:17-cv-258 (E.D. Tex.).

3. Attached hereto as Exhibit B is a true and correct copy of excerpts of the transcript of the August 3, 2017 Deposition of Sean Dylan Burdick, P.E, filed as Dkt. 24-3 in the case *Uniloc USA, Inc. v. Apple Inc.*, No. 2:17-cv-571 (E.D. Tex.).

4. Attached hereto as Exhibit C is a true and correct copy of excerpts of the transcript of the January 15, 2019 Deposition of Drake Turner, filed as Dkt. 56-5 in the case *Uniloc USA, Inc. v. Apple Inc.*, No. 1:18-cv-158 (W.D. Tex.).

5. Attached hereto as Exhibit D is a true and correct copy of excerpts of Uniloc USA, Inc. and Uniloc Luxembourg, S.A.'s Responses to Apple Inc.'s Venue-Related Interrogatories, filed as Dkt. 61-2 in the case *Uniloc USA, Inc., et. al. v. Apple Inc.*, No. 2:17-cv-258 (E.D. Tex.).

6. Attached hereto as Exhibit E is a true and correct copy of Uniloc 2017 LLC's Corporate Disclosure Statement, filed as Dkt. 2 in the case *Uniloc 2017 LLC v. HTC Am., Inc.*, No. 2:18-cv-1727-JLR (W.D. Wash.).

7. Attached hereto as Exhibit F is a true and correct copy of the LinkedIn profile of Craig Etchegoyen.

8. Attached hereto as Exhibit G is a true and correct copy of the entity search for "Uniloc 2017 LLC" in the Texas Secretary of State website.

9. Attached hereto as Exhibit H is a true and correct copy of the LinkedIn profile of Sean Burdick.

10. Attached hereto as Exhibit I is a true and correct copy of the LinkedIn profile of Chad Meisinger.

11. Attached hereto as Exhibit J is a true and correct copy of the LinkedIn profile of Drake Turner.

12. Attached hereto as Exhibit K is a true and correct copy of the webpage <https://www.fortress.com/contact>.

13. Attached hereto as Exhibit L is a true and correct copy of the Delaware Certificate of Formation for Uniloc 2017 LLC, filed as Dkt. 17-8 in the case *Uniloc 2017 LLC v. Google LLC*, No. 2:18-cv-491 (E.D. Tex.).

14. Attached hereto as Exhibit M is a true and correct copy of the Delaware Certificate of Formation for CF Uniloc Holdings LLC.

15. Attached hereto as Exhibit N is a true and correct copy of the California Secretary of State Application to Register a Foreign Limited Liability Company (LLC) for Uniloc 2017 LLC, filed January 8, 2019.

16. Attached hereto as Exhibit O is a true and correct copy of the California Secretary of State Statement of Information for Uniloc 2017 LLC, filed January 9, 2019.

17. Attached hereto as Exhibit P is a true and correct copy of excerpts of the Revenue Sharing and Note and Warrant Purchase Agreement between Uniloc entities and Fortress, filed as Dkt. 168-4 in the case *Uniloc USA, Inc. v. Apple Inc.*, No. 3:18-cv-360 (N.D. Cal.).

18. Attached hereto as Exhibit Q is a true and correct copy of excerpts of the Third Amendment to Revenue Sharing and Note and Warrant Purchase Agreement between Uniloc entities and Fortress, filed as Dkt. 168-17 in the case *Uniloc USA, Inc. v. Apple Inc.*, No. 3:18-cv-360 (N.D. Cal.).

19. Attached hereto as Exhibit R is a true and correct copy of excerpts of the transcript of the September 21, 2018 Deposition of Erez Levy, filed as Dkt. 168-18 in the case *Uniloc USA, Inc. v. Apple Inc.*, No. 3:18-cv-360 (N.D. Cal.).

20. Attached hereto as Exhibit S is a true and correct copy of excerpts of the Declaration of Aaron S. Jacobs in Support of Plaintiff Uniloc USA, Inc, et. al.'s Motion for Reconsideration of the Court's January 17, 2019 Order re Sealing of Order on Motion to Dismiss and Motion to Join Party, and Order re Administrative Motions to File Under Seal and Motion to Intervene, filed as Dkt. 168-2 in the case *Uniloc USA, Inc. v. Apple Inc.*, No. 3:18-cv-360 (N.D. Cal.).

21. Attached hereto as Exhibit T is a true and correct copy of excerpts of the transcript of the Deposition of Drake Turner, filed as Dkt. 168-19 in the case *Uniloc USA, Inc. v. Apple Inc.*, No. 3:18-cv-360 (N.D. Cal.).

22. Attached hereto as Exhibit U is a true and correct copy of excerpts of the Note Purchase and Security Agreement between Uniloc 2017 LLC and CF Uniloc Holdings LLC, filed as Dkt. 168-22 in the case *Uniloc USA, Inc. v. Apple Inc.*, No. 3:18-cv-360 (N.D. Cal.).

23. Attached hereto as Exhibit V is a true and correct copy of excerpts of the Order on Motion to Dismiss and Motion to Join Party, filed as Dkt. 164-2 in the case *Uniloc USA, Inc. v. Apple Inc.*, No. 3:18-cv-360 (N.D. Cal.).

24. Attached hereto as Exhibit W is a true and correct copy of the LinkedIn profile of James Palmer.

25. Attached hereto as Exhibit X is a placeholder intentionally left blank.

26. Attached hereto as Exhibit Y is the LinkedIn profile of Erez Levy.

27. Attached hereto as Exhibit Z is the LinkedIn profile of Michele Moreland.

28. Attached hereto as Exhibit AA is a true and correct copy of excerpts of the Memorandum Opinion and Order, filed as Dkt. 47 in the case *Uniloc USA Inc. v. Box, Inc.*, Cause No. 1:17-CV-754-LY (W.D. Tex.).

29. Attached hereto as Exhibit AB is a true and correct copy of the Declaration of Sean Burdick in Support of Uniloc USA, Inc. and Uniloc Luxembourg, S.A.'s Opposition to Defendant Facebook, Inc.'s Motion to Transfer Venue to the Northern District of California, filed as Dkt. 83-2 in the case *Uniloc USA, Inc. v. RingCentral, Inc.*, No. 2:17-cv-354 (E.D. Tex.).

30. Attached hereto as Exhibit AC is a true and correct copy of the Declaration of Sean Burdick in Support of Uniloc USA, Inc. and Uniloc Luxembourg, S.A.'s Opposition to Defendant

Apple Inc.'s Motion to Change Venue to the Northern District of California, filed as Dkt. 30-7 in the case *Uniloc USA, Inc. v. Apple Inc.*, No. 2:17-cv-258-JRG (E.D. Tex.).

31. Attached hereto as Exhibit AD is a true and correct copy of Table C-5, U.S. District Courts—Median Time Intervals From Filing to Disposition of Civil Cases Terminated, by District and Method of Disposition, During the 12-Month Period Ending March 31, 2019.

32. Attached hereto as Exhibit AE is a true and correct copy of excerpts of the United States District Courts — National Judicial Caseload Profile, ending in March 31, 2019.

33. Attached hereto as Exhibit AF is a true and correct copy of excerpts of the Order Transferring Venue to Northern District of California and Dismissing Motion to Dismiss Without Prejudice, filed as Dkt. 59 in the case *Uniloc USA, Inc. v. Apple Inc.*, Cause No. A-18-CV-158-LY (W.D. Tex.).

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct. Executed June 28, 2019 in Washington, D.C.



Deepa Acharya